

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		Atty. Docket No. MDS-037
		U.S. APPLICATION NO. (If known, see 37 CFR 1.17)
INTERNATIONAL APPLICATION NO. PCT/US2004/011820	INTERNATIONAL FILING DATE April 16, 2004	PRIORITY DATE CLAIMED April 18, 2003
TITLE OF INVENTION SYSTEMS FOR IDENTIFYING, DISPLAYING, MARKING, AND TREATING SUSPECT REGIONS OF TISSUE		
APPLICANT(S) FOR DO/EO/US FLEWELLING, ROSS F.; GRIFFIN, CHRISTOPHER E.; JIANG, CHUNSHENG; SCHOTT, JEAN-PIERRE; SCHOMACKER, KEVIN T.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input checked="" type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4) (International Application is in English). </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(C)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 To 20 below concern document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment (8 pgs)</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</p> <p>18. <input checked="" type="checkbox"/> A copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translated of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information:</p> <p><i>(list all other items here)</i></p>		
A certified copy of U.S. Provisional Patent Application 60/560,384; Statement Concerning Color Drawings (1 pg.); Extra set of drawings (113 sheets - in color).		

21. The following fees are submitted:				<u>CALCULATIONS</u>	PTO USE ONLY
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee..... \$200.00 <input checked="" type="checkbox"/> c) Search fee \$100.00 <input checked="" type="checkbox"/> d) Size fee (\$250 for each additional 50 sheets over 100 sheets)..... \$250 x 5 = \$1250.00					
ENTER APPROPRIATE FEE AMOUNT =				\$ 1850.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	33 - 20 =	13	X \$50.00	\$ 650.00	
Independent claims	3 - 3 =	0	X \$200.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 2500.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.				\$ 1250.00	
SUBTOTAL =				\$ 1250.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 1250.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 1250.00	
				Amount to be:	\$
				refunded	
				charged	\$

a. A check in the amount of \$ _____ to cover the above fees is enclosed.

b. Please charge my Deposit Account No. 07-1700 in the amount of \$1250.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 07-1700.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.



SIGNATURE

William R. Haulbrook, Ph.D.

NAME

53.002

REGISTRATION NUMBER

April 7, 2005

DATE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Flewelling *et al.*
SERIAL NO.: Not yet assigned GROUP NO.: Not yet assigned
FILING DATE: Herewith EXAMINER: Not yet assigned
TITLE: SYSTEMS FOR IDENTIFYING, DISPLAYING, MARKING, AND
TREATING SUSPECT REGIONS OF TISSUE

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT CONCERNING COLOR DRAWINGS

Sir:

The above referenced application is the national stage of International Application PCT/US2004/011820, filed on April 16, 2004. The above-referenced Application submitted herewith includes 113 sheets of drawings. Two sets of drawings were filed in the original International Application – a first set that included color photographs/drawings, and an auxiliary set all in black-and-white. The color photographs/drawings are helpful to the understanding of the invention. Thus, Applicants include a color set of drawings herewith for consideration as part of the above-referenced application, to the extent allowable.

The Applicants intend to file a Petition for Use of Color Photographs and Color Drawings as Formal Drawings Under 37 C.F.R. § 1.84(a)(2) and (b)(2) in the above-referenced case in due course. The undersigned cordially invites the Examiner to call at the number below in the event any questions arise.

Respectfully submitted,



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Date: April 7, 2005
Reg. No. 53,002

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